

# House File 907 - Reprinted

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 310)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations from the healthy  
2 Iowans tobacco trust and the tobacco settlement trust fund and  
3 providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1137HV 82  
6 pf/gg/14

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 3 tobacco trust created in section 12.65 to the following  
1 4 departments for the fiscal year beginning July 1, 2007, and  
1 5 ending June 30, 2008, the following amounts, or so much  
1 6 thereof as is necessary, to be used for the purposes  
1 7 designated:  
1 8 1. To the department of human services:  
1 9 a. To supplement the medical assistance program  
1 10 appropriations for the fiscal year, including for  
1 11 reimbursement of noninstitutional medical assistance providers  
1 12 with the exception of anesthesia and dental providers and to  
1 13 continue the resource-based relative value system of  
1 14 reimbursement based upon the reimbursement rates established  
1 15 for the fiscal year beginning July 1, 2007, and ending June  
1 16 30, 2008; for reimbursement of dental services, hospitals,  
1 17 home health care services, critical access hospitals,  
1 18 expansion of home health care services and habilitative day  
1 19 care for children with special needs, and expansion of respite  
1 20 care services provided through home and community-based  
1 21 waivers based upon the reimbursement rates established for the  
1 22 fiscal year beginning July 1, 2007, and ending June 30, 2008;  
1 23 and for provision of coverage to women who require treatment  
1 24 for breast or cervical cancer as provided in section 249A.3,  
1 25 subsection 2, paragraph "b":  
1 26 ..... \$ 35,327,368  
1 27 Of the amount appropriated in this paragraph, \$250,000  
1 28 shall be used to continue the efforts of the Iowa chronic care  
1 29 consortium pursuant to 2003 Iowa Acts, chapter 112, section  
1 30 12, as amended by 2003 Iowa Acts, chapter 179, sections 166  
1 31 and 167.  
1 32 b. For child and family services including for  
1 33 reimbursement of adoption, independent living, shelter care,  
1 34 and home studies services providers, and other service  
1 35 providers under the purview of the department of human  
2 1 services:  
2 2 ..... \$ 3,761,677  
2 3 c. To continue supplementation of the state supplementary  
2 4 assistance program including reimbursements for residential  
2 5 care facilities and in-home health services:  
2 6 ..... \$ 182,381  
2 7 d. For general administration of health-related programs:  
2 8 ..... \$ 274,000  
2 9 2. To the Iowa department of public health:  
2 10 a. For the tobacco use prevention and control initiative,  
2 11 including efforts at the state and local levels, as provided  
2 12 in chapter 142A and for not more than the following full-time  
2 13 equivalent positions:  
2 14 ..... \$ 5,928,465  
2 15 ..... FTEs 7.00  
2 16 (1) The director of public health shall dedicate  
2 17 sufficient resources to promote and ensure retailer compliance

2 18 with tobacco laws and ordinances relating to persons under 18  
2 19 years of age, and shall prioritize the state's compliance in  
2 20 the allocation of available funds to comply with 42 U.S.C. }  
2 21 300x=26 and section 453A.2.

2 22 (2) Of the full-time equivalent positions funded in this  
2 23 paragraph "a", two full-time equivalent positions shall be  
2 24 utilized to provide for enforcement of tobacco laws,  
2 25 regulations, and ordinances under a chapter 28D agreement  
2 26 entered into between the Iowa department of public health and  
2 27 the alcoholic beverages division of the department of  
2 28 commerce.

2 29 (3) Of the funds appropriated in this paragraph "a", not  
2 30 more than \$525,759 shall be expended on administration and  
2 31 management of the program.

2 32 (4) Of the funds appropriated in this paragraph "a", not  
2 33 less than 80 percent of the amount expended in the fiscal year  
2 34 beginning July 1, 2001, for community partnerships shall be  
2 35 expended in the fiscal year beginning July 1, 2007, for that  
3 1 purpose.

3 2 b. For additional substance abuse treatment under the  
3 3 substance abuse treatment program:

3 4 ..... \$ 13,800,000

3 5 (1) The department shall use funds appropriated in this  
3 6 paragraph "b" to enhance the quality of and to expand the  
3 7 capacity to provide 24-hour substance abuse treatment  
3 8 programs.

3 9 (2) The department shall use funds appropriated in this  
3 10 paragraph "b" to expand the length of individual client  
3 11 substance abuse treatment plans, as necessary to reduce  
3 12 program recidivism.

3 13 (3) The department shall use funds appropriated in this  
3 14 paragraph "b" to share research-based best practices for  
3 15 treatment with substance abuse treatment facilities.

3 16 (4) The department shall use funds appropriated in this  
3 17 paragraph "b" to develop a results-based funding approach for  
3 18 substance abuse treatment services.

3 19 (5) The department shall use funds appropriated in this  
3 20 paragraph "b" to develop a program to encourage individuals  
3 21 who are successfully managing their substance abuse problems  
3 22 to serve as role models.

3 23 (6) The department shall submit a report annually by March  
3 24 1, to the governor and the general assembly delineating the  
3 25 success rates of the substance abuse treatment programs that  
3 26 receive funding under this paragraph "b".

3 27 c. For the healthy Iowans 2010 plan within the Iowa  
3 28 department of public health and for not more than the  
3 29 following full-time equivalent positions:

3 30 ..... \$ 2,509,960  
3 31 ..... FTEs 4.00

3 32 (1) Of the funds appropriated in this paragraph "c", not  
3 33 more than \$1,157,482 shall be used for essential public health  
3 34 services that promote healthy aging throughout the lifespan,  
3 35 contracted through a formula for local boards of health, to  
4 1 enhance health promotion and disease prevention services.

4 2 (2) Of the funds appropriated in this paragraph "c", not  
4 3 more than \$387,320 shall be used for the continuation and  
4 4 support of a coordinated system of delivery of trauma and  
4 5 emergency medical services.

4 6 (3) Of the funds appropriated in this paragraph "c", not  
4 7 more than \$600,000 shall be used for the state poison control  
4 8 center.

4 9 (4) Of the funds appropriated in this paragraph "c", not  
4 10 more than \$288,770 shall be used for the development of  
4 11 scientific and medical expertise in environmental  
4 12 epidemiology.

4 13 (5) Of the funds appropriated in this paragraph "c", not  
4 14 more than \$76,388 shall be used for the childhood lead  
4 15 poisoning prevention program.

4 16 d. For the automated external defibrillator grant program  
4 17 established pursuant to section 135.26:

4 18 ..... \$ 40,000

4 19 e. For the center for congenital and inherited disorders  
4 20 established pursuant to section 136A.3:

4 21 ..... \$ 26,000

4 22 f. For a grant program to provide substance abuse  
4 23 prevention programming for children:

4 24 ..... \$ 1,050,000

4 25 (1) Of the funds appropriated in this paragraph "f",  
4 26 \$500,000 shall be utilized to provide funding for  
4 27 organizations that provide programming for children by  
4 28 utilizing mentors. Programs approved for grants under this

4 29 subparagraph (1) shall be certified or will be certified  
4 30 within six months of receiving the grant award by the Iowa  
4 31 commission on volunteer services as utilizing the standards  
4 32 for effective practice for mentoring programs.

4 33 (2) Of the funds appropriated in this paragraph "f",  
4 34 \$500,000 shall be utilized to provide funding for  
4 35 organizations that provide programming that includes youth  
5 1 development and leadership. The programs shall also be  
5 2 recognized as being programs that are scientifically based  
5 3 with evidence of their effectiveness in reducing substance  
5 4 abuse in children.

5 5 (3) The Iowa department of public health shall utilize a  
5 6 request for proposals process to implement the program under  
5 7 this paragraph "f".

5 8 (4) All grant recipients under this paragraph "f" shall  
5 9 participate in a program evaluation as a requirement for  
5 10 receiving grant funds.

5 11 (5) Of the funds appropriated in this paragraph "f",  
5 12 \$50,000 shall be used to administer substance abuse prevention  
5 13 grants and for program evaluations.

5 14 g. For providing grants to individual patients who have  
5 15 phenylketonuria (PKU) to assist with the costs of necessary  
5 16 special foods:

5 17 ..... \$ 100,000

5 18 h. For additional funding to leverage federal funding  
5 19 through the federal Ryan White Care Act, Title II, AIDS drug  
5 20 assistance program supplemental drug treatment grants:

5 21 ..... \$ 275,000

5 22 i. For a grant to an existing national-affiliated  
5 23 organization to provide education, client-centered programs,  
5 24 and client and family support for people living with epilepsy  
5 25 and their families:

5 26 ..... \$ 100,000

5 27 3. To the department of corrections:

5 28 ..... \$ 4,006,474

5 29 a. Of the funds appropriated in this subsection, \$228,216  
5 30 is allocated to the first judicial district department of  
5 31 correctional services. Of the funds allocated, \$100,000 shall  
5 32 be used for community-based corrections, and \$128,216 shall be  
5 33 used to replace expired federal funding for dual diagnosis  
5 34 offenders.

5 35 b. Of the funds appropriated in this subsection, \$406,217  
6 1 is allocated to the second judicial district department of  
6 2 correctional services. Of the funds allocated, \$100,000 shall  
6 3 be used for community-based corrections and \$306,217 shall be  
6 4 used to replace expired federal funding for day programming  
6 5 and to replace expired federal funding for the drug court  
6 6 program with \$50,000 of this amount being used for substance  
6 7 abuse treatment.

6 8 c. Of the funds appropriated in this subsection, \$200,359  
6 9 is allocated to the third judicial district department of  
6 10 correctional services. Of the funds allocated, \$100,000 shall  
6 11 be used for community-based corrections, and \$100,359 shall be  
6 12 used to replace expired federal funding for the drug court  
6 13 program.

6 14 d. Of the funds appropriated in this subsection, \$291,731  
6 15 is allocated to the fourth judicial district department of  
6 16 correctional services. Of the funds allocated, \$100,000 shall  
6 17 be used for community-based corrections, and \$191,731 shall be  
6 18 used for the drug court program.

6 19 e. Of the funds appropriated in this subsection, \$355,693  
6 20 is allocated to the fifth judicial district department of  
6 21 correctional services. Of the funds allocated, \$100,000 shall  
6 22 be used for community-based corrections, and \$255,693 shall be  
6 23 used to replace expired federal funding for the drug court  
6 24 program.

6 25 f. Of the funds appropriated in this subsection, \$494,741  
6 26 is allocated to the sixth judicial district department of  
6 27 correctional services. Of the funds allocated, \$100,000 shall  
6 28 be used for community-based corrections, \$64,741 shall be used  
6 29 to replace expired federal funding for dual diagnosis  
6 30 offenders, and \$330,000 shall be used to establish drug court  
6 31 programs in Johnson and Linn counties.

6 32 g. Of the funds appropriated in this subsection, \$232,232  
6 33 is allocated to the seventh judicial district department of  
6 34 correctional services. Of the funds allocated, \$100,000 shall  
6 35 be used for community-based corrections, and \$132,232 shall be  
7 1 used to replace expired federal funding for the drug court  
7 2 program.

7 3 h. Of the funds appropriated in this subsection, \$300,000  
7 4 is allocated to the eighth judicial district department of

7 5 correctional services. Of the funds allocated, \$100,000 shall  
7 6 be used for community-based corrections, and \$200,000 shall be  
7 7 used to implement an adult drug court program.

7 8 i. Of the funds appropriated in this subsection,  
7 9 \$1,497,285 is allocated to the Fort Madison correctional  
7 10 facility for the clinical care unit.

7 11 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
7 12 REIMBURSEMENT INCREASE. There is appropriated from the  
7 13 healthy Iowans tobacco trust created in section 12.65 to the  
7 14 property tax relief fund created in section 426B.1 for the  
7 15 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
7 16 the following amount, or so much thereof as is necessary, to  
7 17 be used for the purposes designated:

7 18 For assistance to the counties with limited county mental  
7 19 health, mental retardation, and developmental disabilities  
7 20 services fund balances which were selected in accordance with  
7 21 2000 Iowa Acts, chapter 1221, section 3, to receive such  
7 22 assistance in the same amount provided during the fiscal year  
7 23 beginning July 1, 2000, and ending June 30, 2001, to pay  
7 24 reimbursement increases in accordance with 2000 Iowa Acts,  
7 25 chapter 1221, section 3:

7 26 ..... \$ 146,750

7 27 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
7 28 the healthy Iowans tobacco trust created in section 12.65, to  
7 29 the Iowa empowerment fund created in section 28.9 for the  
7 30 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
7 31 for deposit in the school ready children grants account:

7 32 ..... \$ 2,153,250

7 33 Sec. 4. IOWA COMMISSION ON VOLUNTEER SERVICES. There is  
7 34 appropriated from the healthy Iowans tobacco trust created in  
7 35 section 12.65 to the department of economic development for  
8 1 the fiscal year beginning July 1, 2007, and ending June 30,  
8 2 2008, the following amount, or so much thereof as is  
8 3 necessary, to be used for the purpose designated:

8 4 For allocation to the Iowa commission on volunteer services  
8 5 for the Iowa's promise and mentoring partnership program and  
8 6 for not more than the following full-time equivalent  
8 7 positions:

8 8 ..... \$ 125,000

8 9 ..... FTEs 1.00

8 10 Sec. 5. DEPARTMENT OF EDUCATION. There is appropriated  
8 11 from the healthy Iowans tobacco trust created in section  
8 12 12.65, to the department of education for the fiscal year  
8 13 beginning July 1, 2007, and ending June 30, 2008, the  
8 14 following amount, or so much thereof as is necessary, to be  
8 15 used for the purpose designated:

8 16 To continue the competitive grants program to expand the  
8 17 availability of before and after school programs as provided  
8 18 in section 256.26, if enacted by the Eighty-second General  
8 19 Assembly, 2007 Session:

8 20 ..... \$ 305,000

8 21 Sec. 6. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.  
8 22 In addition to the amount transferred pursuant to section  
8 23 12E.12, subsection 1, paragraph "b", subparagraph (2),  
8 24 subparagraph subdivision (b), \$9,100,000 is transferred from  
8 25 the endowment for Iowa's health account of the tobacco  
8 26 settlement trust fund created in section 12E.12 to the healthy  
8 27 Iowans tobacco trust created in section 12.65 for the fiscal  
8 28 year beginning July 1, 2007, and ending June 30, 2008.

8 29 Sec. 7. 2006 Iowa Acts, chapter 1181, section 1,  
8 30 subsection 2, paragraph e, is amended to read as follows:

8 31 e. For the automated external defibrillator grant program  
8 32 established pursuant to section 135.26:

8 33 ..... \$ 350,000

8 34 Notwithstanding section 8.33, moneys appropriated in this  
8 35 paragraph "e" that remain unencumbered or unobligated at the

9 1 close of the fiscal year shall not revert but shall remain  
9 2 available for expenditure for the purpose designated until the  
9 3 close of the succeeding fiscal year.

9 4 Sec. 8. EFFECTIVE DATE. The section of this Act amending  
9 5 2006 Iowa Acts, chapter 1181, being deemed of immediate  
9 6 importance, takes effect upon enactment.

9 7 HF 907

9 8 pf:mg/jg/25